

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 9 and 13 are cancelled. Claims 1-8, 10-12, and 14 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

The specification has been amended to better conform to the requirements of U.S. practice. No new matter has been added by these amendments.

Claims 1, 7, 8, 10, 11, 12, and 14 have been amended solely to have the claims better conform to the requirements of U.S. practice. None of these amendments is intended to narrow the scope of any of these claims, and no new matter has been added by these amendments.

In the Office Action, claims 1, 7-8, 10-12, and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sakai (U.S. Patent Application Publication No. 2003/0012550). Applicant submits that the claims are patentably distinguishable over the relied on sections of Sakai.

As an example, claim 1 recites:

said Bridge Clip AV stream consisting of a preset portion of a first AV stream and a preset portion of a second AV stream without changes to the preset portion of the first AV stream and without changes to the preset portion of the second AV stream, and being reproduced when reproduction is switched from said first AV stream to said second AV stream[.]

(Emphasis added.) The relied on sections of Sakai neither disclose nor suggest a Bridge Clip AV stream consisting of a preset portion of a first AV stream and a preset portion of a second AV stream without changes to the preset portion of the first AV stream. Moreover, the relied on sections of Sakai neither disclose nor suggest a preset portion of a first AV stream and a preset portion of a second AV stream without changes to the preset portion of the second AV stream.

Rather, Sakai describes that during a transition period, video data DM1 and video data DM2 are assigned respective weights that are changed in keeping with the transition mode. For example, when a cut "a" is gradually replaced by a cut "b" during a "wipe" in which a first scene gradually changes to a second scene, weighting factors of 0 and 1 are initially set for video data DM1 and DM2, respectively, and change over time to 1 and 0, respectively. (See FIG. 4E, and paragraph [0064]). The relied on sections of Sakai are not at all concerned with a stream consisting of a preset portion of first video data and a preset portion of second video data without changes to the preset portion of the first video data DM1, and the relied on sections of Sakai are not at all concerned with a stream consisting of a preset portion of first video data and a preset portion of second video data without changes to the preset portion of the first video data DM2.

It follows, for at least the above reasons, that the relied on sections of Sakai do not disclose or suggest the combination defined in claim 1 and therefore do not anticipate the claim.

Independent claims 7-8, 10-12, and 14 each call for features similar to those set out in the above excerpt of claim 1. Each of these claims is therefore patentably distinguishable over the relied on sections of Sakai for at least the reasons set out above regarding claim 1.

Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakai in view of Lenihan (U.S. Patent No. 6,169,843), and claims 4-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakai and Lenihan and further in view of Nakatani (U.S. Patent No. 6,118,924). However, Sakai is disqualified under 35 U.S.C. § 103(c) as prior art for the purpose of showing obviousness.

The present application is a continuation-in-part of International Application No. PCT/JP01/03417, filed April 20, 2001 and published in Japanese on November 1, 2001, which claims priority from Japanese Application Nos. 2000-183769, filed April 21, 2000, and 2000-271550, filed September 7, 2000.

Sakai was published on January 16, 2003 from an application filed on November 3, 1998 and therefore, as noted on Page 3 of the Office Action, qualifies as prior art under 35 U.S.C. § 102(e). Sakai is assigned to Sony Corporation, the assignee of the present application, based on an assignment executed on October 20, 1998. Both Sakai and the present application were thus owned by Sony Corporation at the time of the invention disclosed and claimed in the present application. Therefore, Sakai is disqualified under 35 U.S.C. § 103(c) as prior art for the purpose of showing obviousness.

Accordingly, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a).

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

Application No.: 10/029,903

Docket No.: SONYAK 3.9-157 CIP

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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